

BEFORE THE DIVISION OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH

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IN THE MATTER OF TENTATIVE	:	
DECISION TO APPROVE THE	:	NOTICE OF TENTATIVE
MINING AND RECLAMATION PLAN	:	DECISION TO APPROVE
FOR VALLEY ASPHALT INCORPORATED'S	:	NO. M/049/032
EKINS EAST PROJECT,	:	
UTAH COUNTY, UTAH	:	

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THE STATE OF UTAH TO ALL OPERATORS, TAKERS OF PRODUCTION, MINERAL AND ROYALTY OWNERS, AND PARTICULARLY ALL PERSONS INTERESTED IN SECTION 4, TOWNSHIP 10 SOUTH, RANGE 1 EAST, SLBM, UTAH COUNTY, UTAH.

Notice is hereby given by the Division of Oil, Gas and Mining of its tentative decision to approve Valley Asphalt, Incorporated's Mining and Reclamation Plan for the Ekins East Project. Mining activities will effect the following area: SE1/4 of Section 4, Township 10 South, Range 1 East, SLBM, Utah County, Utah.

The operator will employ the following mining and reclamation techniques on approximately 121.4 acres of private land.

**During Operations:**

Topsoil will be salvaged prior to mining and stockpiled for reclamation. Overburden will then be removed with blasting and dozers and moved to a spoils area for later use as backfill material. The limestone will be drilled, blasted and transported to the processing plant area, where it will be crushed and screened for various products. Product will be trucked from the stockpiles to various job sites or conveyed to the asphalt plant where it will be injected with asphalt oil and mixed with aggregate to produce asphaltic concrete and then loaded on trucks and hauled to various job sites.

A sediment pond will be used to control runoff from disturbed areas. Public safety will be insured by restricting access with fencing and signs. Trash and debris will be periodically hauled to a landfill.

**After Operations:**

All mining and processing facilities will be demolished and removed. The disturbed area will be regraded and 12-18 inches of topsoil will be replaced. The final surface will be left in a roughened condition to promote vegetation establishment. The area will be seeded with species that were selected to achieve the post mining land uses of grazing and wildlife habitat. All areas

will be revegetated with the exception of the final highwall area (about 8.7 acres) and the access road (3.7 acres) for which variances have been granted. The final highwall area will be fenced and warning signs installed to protect the public.

The person representing the company is Mr. Brent Sumsion; Phone (801) 798-7486. Valley Asphalt is fulfilling obligations under the Utah Mined Land Reclamation Act of 1975, Utah Code Ann. §40-8-18.

Any person or agency aggrieved by this tentative decision to issue approval is hereby requested to submit written protest within thirty (30) days of the date of publication to Mary Ann Wright, Associate Director of Mining, Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Box 145801, Salt Lake City, Utah 84114-5801, setting forth factual reasons for the complaint. If no responsive written protests are received by the Division within 30 days after the last date of publication, the tentative decision of the Division will be final.

DATED THIS 3rd day of December, 1998

STATE OF UTAH  
DIVISION OF OIL, GAS AND MINING



Lowell P. Braxton  
Director

CERTIFICATE OF MAILING

I hereby certify that I caused a true and correct copy of the foregoing Notice of Tentative Approval for Valley Asphalt, Incorporated's Lehi Project to be sent via facsimile or mailed by first class mail, postage prepaid, the 7th day of December, 1998 to:

FACSIMILE: 237-2520  
EMAIL: NAClegal@nacorp.com  
Salt Lake Tribune  
Legal Advertising  
143 South Main  
P.O. Box 867  
Salt Lake City, Utah 84110-0867

FACSIMILE: (801) 373-5489  
The Daily Herald  
Legal Advertising  
P.O. Box 717  
1555 West Freedom Boulevard  
Provo, Utah 84604-0717

CERTIFIED RETURN RECEIPT  
P 074 976 670  
Brent Sumsion  
Valley Asphalt, Incorporated  
7434 South Delmonte Road  
P.O. Box 309  
Spanish Fork, Utah 84660

Buck Rose  
Utah County Planning and Zoning  
100 East Center  
Provo, Utah 84601

Shirl L. Ekins  
Ekins Hybrid Fruit Orchards  
90 East Highway 6  
Genola, Utah 84655

  
Vicky Bailey, Secretary